

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

-----	:	CASE NO. 1:13 CV 02577
ALI TAYLOR,	:	
	:	
	:	
Petitioner,	:	<u>ORDER ADOPTING THE</u>
	:	<u>MAGISTRATE JUDGE'S REPORT AND</u>
-vs-	:	<u>RECOMMENDATION</u>
	:	
	:	
BENNIE D. KELLY,	:	
	:	
	:	
Respondent.	:	
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UNITED STATES DISTRICT JUDGE LESLEY WELLS

This matter comes before the Court on United States Magistrate Judge George J. Limbert's Report and Recommendation advising that the Court grant the respondent's motion to dismiss; deny the petitioner's request to stay proceedings and hold his federal habeas petition in abeyance; and dismiss the habeas petition in its entirety without prejudice. (Doc. 9). No timely objections have been filed. The Court, accordingly, adopts

the Report and Recommendation as its own.¹

Therefore, the respondent's motion to dismiss is granted; the petitioner's request to stay proceedings and hold the petition in abeyance is denied; and the habeas petition is dismissed in its entirety without prejudice.

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: 9 September 2014

¹Pursuant to 28 U.S.C. § 636(b)(1), this Court makes a de novo determination of those portions of the R&R to which a timely objection is made. "When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee's note.